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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/680,603	10/08/2000	Mark Yablonski	020431.0990	5144

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EXAMINER

WANG, JIN CHENG

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 06/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/680,603

Applicant(s)

YABLONSKI ET AL.

Examiner

Jin-Cheng Wang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4 and 6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Davies et al. U.S. Pat. No. 6,400,366 (hereafter Davies).

3. Claim 1:

Davies teaches a system for display graphical information (figure 1 and the abstract), comprising:

(a) A display driver for making graphical information visible to a user (column 3, lines 5-40);

(b) Data organized along at least one axis in a hierarchical manner (figure 2 and column 3, lines 40-65);

(c) A graphing system connected to the data and to the display driver for displaying at least one axis of data (figures 2 and 3; column 3, lines 40-65), in a graph (figures 2 and 3) having at least two dimensions, as aggregated data in accordance with a selected level within the hierarchy (column 4, lines 45-67, column 5, lines 1-67).

4. Claim 2

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Davies teaches a method for displaying data (figure 1 and the abstract), comprising the steps of:

(a) Displaying a graph having at least two dimensions (figures 2 and 3; column 3, lines 40-65);

(b) Organizing at least one axis of the display in a hierarchical manner (figure 2 and column 3, lines 40-65), so that data displayed along such at least one axis is selectably aggregated to be displayed (column 4, lines 45-67, column 5, lines 1-67).

Claim 3:

The claim 3 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of allowing a user to select a level of the axis to be displayed, wherein the selectable aggregation level displayed is that chosen by the user. However, Davies further discloses the claimed limitation of allowing a user to select a level of the axis to be displayed, wherein the selectable aggregation level displayed is that chosen by the user (column 6, lines 21-65).

Claim 4:

The claim 4 encompasses the same scope of invention as that of claim 3 except additional claimed limitation of a different aggregation level being displayed in response to the user changing the aggregation level. However, Davies further discloses the claimed limitation of a different aggregation level being displayed in response to the user changing the aggregation level (figures 5-7; column 6, lines 9-55).

Claim 5:

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The claim 5 encompasses the same scope of invention as that of claim 2 except additional claimed limitation of data organized in a hierarchy along two axes of the display.

However, Davies further discloses the claimed limitation of data organized in a hierarchy along two axes of the display (figures 5-7; column 6, lines 9-55).

Claim 6:

The claim 6 encompasses the same scope of invention as that of claim 5 except additional claimed limitation of the display being a 3-dimensional graphical display of data. However, Davies further discloses the claimed limitation of the display being a 3-dimensional graphical display of data (figures 5-7; column 6, lines 9-55).

Claim 7:

The claim 7 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of a portion of a dimension displaying aggregated data being aggregated at a different level from the remaining portions of that dimension in response to a user selection. However, Davies further discloses the claimed limitation of a portion of a dimension displaying aggregated data being aggregated at a different level from the remaining portions of that dimension in response to a user selection (figures 5-7; column 6, lines 9-55).

Claim 8:

The claim 8 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of selected elements of a hierarchical dimension being hidden from the display. However, Davies further discloses the claimed limitation of selected elements of a hierarchical dimension being hidden from the display (figures 5-7; column 6, lines 9-65).

Claim 9:

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The claim 9 encompasses the same scope of invention as that of claim 1 except additional claimed limitation of the displayed graph being organized in three dimensions, with two dimensions forming a floor of a display, and both being organized as hierarchies. However, Davies further discloses the claimed limitation of the displayed graph being organized in three dimensions, with two dimensions forming a floor of a display, and both being organized as hierarchies (figures 5-7; column 6, lines 9-65).

Claim 10:

The claim 10 encompasses the same scope of invention as that of claim 9 except additional claimed limitation of data being displayed in the third dimension. However, Davies further discloses the claimed limitation of data being displayed in the third dimension (figures 5-7; column 6, lines 9-65).

Claim 11:

The claim 11 encompasses the same scope of invention as that of claim 10 except additional claimed limitation of data being organized as a hierarchy, and wherein the data being displayed as a selected hierarchy level. However, Davies further discloses the claimed limitation of data being organized as a hierarchy, and wherein the data being displayed as a selected hierarchy level (figures 5-7; column 6, lines 9-65).

Claim 12:

The claim 12 encompasses the same scope of invention as that of claim 11 except additional claimed limitation of receiving from the user input selecting a hierarchy level for displaying the data; and displaying the data at the user selected level.

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However, Davies further discloses the claimed limitation of receiving from the user input selecting a hierarchy level for displaying the data; and displaying the data at the user selected level (column 6, lines 21-65; column 6, lines 9-65).


Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jin-Cheng Wang whose telephone number is (703) 605-1213. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-6606 for regular communications and (703) 308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 395-3900.

jcw
May 22, 2003



MICHAEL RAZAVI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600